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ABSTRACT

A 1986-87 survey of 105 local education authorities (LEAs) in England, Scotland, and Wales was conducted to ascertain the LEAs' responses to the 1981 Education Act mandate to keep special educational provision under review. Of 74 responding LEAs, 2 had not started reviews, 20 had reviews underway when surveyed, 11 said special education was continuously under review, 34 had completed reviews, and 7 had reviewed specific provision areas but had not reviewed special education generally. Variations in responses to the Act have led to criticism of the lack of central guidance and a lack of funds to properly implement the new law. There is a marked contrast between LEAs that have carefully looked at overall strategy and those that have parcelled it up into separate categories with no coherent whole. Appendix 1 summarizes a House of Commons Select Committee Report which concluded that extra resources are needed to enable LEAs and schools to implement the act properly and that LEAs must develop coherent policies in consensus with parents, teachers, and voluntary organizations. Also provided are statistics on the number and proportion of children with statements of special educational needs by LEA; lists of publications; and addresses of LEAs, organizations, and government departments. (VW)

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Duty to Review

A survey of LEA responses to their duty under the 1981 Education Act to keep special educational provision under review.

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By Liz Allen
For the Centre for Studies on Integration in Education

CSIE

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'Successful implementation of the 1981 Act is very much dependent on the development by an LEA of a clear and coherent policy, arrived at in a way which enables it to command the support of those — parents, teachers and voluntary organisations — who are most affected by it.'

Statement by the House of Commons Education, Science and Arts Committee, June 1987, in their third report.

A survey of LEA responses to their duty under the 1981 Education Act to keep special educational provision under review.

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Introduction

The 1981 Education Act came into force in England and Wales in April 1983. It followed on the heels of the Government's Warnock Report of 1978 which had spent five years looking at all aspects of special educational provision in England, Scotland and Wales and adopted many of its recommendations. The Act represented a major step forward in the identification, assessment and placement of children with special educational needs and demanded a major re-think of local education authorities' policies on special needs provision.

Section 2(4) of the 1981 Act imposes upon the LEAs a duty to 'keep under review the arrangements made by them for special educational provision'. The Centre for the Studies on Integration in Education (CSIE) wanted to find out how important local education authorities (LEAs) considered this duty; to what extent they had investigated or analysed their provision and whether clear patterns for the future development of special education would emerge from any reviews that had been undertaken.

Two previous CSIE surveys published in 1986, *(Caught in the Act — what LEAs tell parents under the 1981 Education Act* and *Guiding the Professionals — a survey of LEA guidelines for professionals on the 1981 Education Act)* assessed the responses that LEAs had made to other provisions in the 1981 Act since implementation. They showed that LEAs varied considerably in their interpretation of the Act and in the speed with which they have implemented it.

In June, 1987, the Education, Science and Arts Select Committee published a report of its own review of the implementation of the Act. Not surprisingly, the Committee also found wide variations in the way LEAs have defined and acted upon the various requirements of the Act, and concluded that successful implementation will depend upon more resources becoming available; on better information and on local education authorities developing clear and coherent policies in their areas. *(See CSIE Summary of the Commons report on page 15).*

The same variations appear in the following survey of LEAs' reviews of their special educational provision. At one extreme, reviews focus sharply on the issue of rationalising provision in existing special schools only. At the other, a deep commitment towards equal opportunities and the integrationist aspects of the 1981 Act has meant comprehensive reviews of the whole of the LEAs' special educational provision. In between these two extremes are more cautious reviews which begin to knit together the two previously segregated sectors of provision with the long-term aim of eventually creating a coherent whole. □

The Survey

CSIE wrote to 105 local education authorities in **England, Wales** and the **Isles of Scilly** and asked them to complete a short questionnaire which asked if they had conducted a review or survey of their special educational provision since April 1983 as laid down by Section 2(4) of the 1981 Education Act. The LEAs were asked to forward a copy of the review, if completed, together with their latest policy statement on special educational provision. Those LEAs that had not yet reviewed their provision were asked if they planned to do so and, if so, by what date.

This first questionnaire was sent out in April 1986, followed by a reminder in June. Responses came in throughout the Autumn term, but because of delays caused by CSIE's move to new premises at the end of the year, the information was not analysed immediately. To do justice to the study, therefore, a third questionnaire was sent out in February 1987, inviting those LEAs that had already responded to up-date their information if they wished to do so, and giving those that had not yet responded the opportunity of doing so.

Altogether 74 local education authorities responded to the survey — the third request in February 1987 eliciting replies from nine new LEAs and up-dated information from five LEAs already in the study. These figures compare favourably with the 65 LEAs (63%) that responded to *Caught in the Act*, and the 66 LEAs that responded to *Guiding the Professionals*.

The 74 responses broke down into the following categories:

Group 1

2 LEAs that had not yet started their review of their special educational provision. (**3% of LEAs that responded**).

Group 2

20 LEAs with reviews underway at the time of the survey. (**27% of LEAs**).

Group 3

11 LEAs which said special education was continuously under review and no single document described it. (**15% of LEAs**).

Group 4

34 LEAs that had completed reviews of their special educational provision. (**46% of LEAs**).

Group 5

7 LEAs that reviewed specific areas of their provision but had not conducted a 'snapshot' review of special educational provision generally. (**9% of LEAs**).

A quick analysis of the documents forwarded to CSIE shows that a simple statistical breakdown of these 'reviews' is problematic. One LEA's 'review' is another LEA's 'policy statement'. Some LEAs have chosen to review their special educational provision area by area, focussing on different categories of provision. Others have undertaken a 'snapshot' review of the whole service. For some LEAs a 'review' has entailed a wide-ranging consultative exercise across the whole authority that clearly sets the agenda for a public debate on the education of children with special education needs; for others it is merely a briefing report to the education committee as part of an on-going process of looking at special educational provision. Nor would an education authority about to embark on a review be guided by going to the Department of Education and Science (DES) for advice. Although the DES has published guidelines for local authorities on Assessments and Statements of Special Educational Needs (DES Circular 1/83), a spokesman from the Department told CSIE that it had 'no view' on Section 2(4) of the 1981 Act, but would assume that in most cases the LEAs will have carried out a review in response to the implementation of the Act in April 1983. Just what form that review might take 'would depend upon the individual authority'.

Four years is a very short time in educational terms, especially with an Act with such far-reaching implications as this one. None of the reviews described in this survey can be seen as definitive statements of the LEAs' special educational provision because that provision is in a state of constant change and development. But the survey does provide a brief and accessible picture of what is happening and highlights trends in the development of special educational provision since the 1981 Education became law.

Group 1: Reviews not yet started

Isles of Scilly
St Helens

FOUR years after the 1981 Education Act came into force, 22 of the LEAs that responded to the survey had still not completed a review of their special educational provision. Two of them, **St Helens** in Merseyside and the **Isles of Scilly,** had not yet embarked upon a review. St Helens planned to do at a future date 'depending upon pressure of work and the Authority's priorities'. The LEA had no policy statement but it did have a brief booklet, 'General Information' which had a short section in it that described the provision that was made for children with special educational needs.

The **Isles of Scilly** replied that it had not undertaken a review because of its small size — the council controlled just four primary schools and one secondary school. Within those schools, said the council:

> 'All children with needs are regularly assessed for special educational provision as required by the Education Act, 1981. When a case arises it is firstly assessed by the island's social workers and the teachers concerned and then, if necessary, specialist officers from **Cornwall** LEA/social services are employed to advise. A Downs Syndrome child has just completed primary/secondary education to 16+ with the aid of an individual assistant and is now undertaking an adult training course in **Cornwall.** A severely handicapped girl (now 7) is being supported in a similar way to ensure that as far as possible she is being integrated into the normal running of the primary school.'

Group 2: LEAs with reviews underway

Twenty LEAs had their reviews of special educational provision underway at the time of the survey. The 20 in this group were:

Avon
Barking & Dagenham
Bexley
Bolton
Buckinghamshire
Dyfed
Gwent
Haringey
Hounslow
Manchester
North Tyneside
Nottinghamshire
Oldham
Salford
Somerset
Surrey
Tameside
Trafford
Walsall
Warwickshire

The majority of these LEAs expected to have their reviews completed by the end of 1986 or early 1987. **Trafford's** had been delayed by a 'change of political control' at the last local elections. **Avon** said that 'the shortage of officer time prevents their presentation to the committee and their consultation', and did not forward a policy document because 'in reality there isn't one'. **North Tyneside** was doing rather better and expected to be ready to consult with 'parents and others' in Spring, 1987. Few of the LEAs were prepared to give an exact date for when their reviews would be completed, but only **Nottinghamshire** described its review date as 'confidential'!

The teachers' dispute had delayed **Haringey's** review until early 1987, but an information sheet had been circulated describing the purpose of the review, how it was to be conducted and how individuals could become involved in it. As a result of preparations made the year before, **Haringey** reported that membership of the eight working groups on the review was 'full to overflowing'. The Steering Committee set up to oversee the review was expected to report to **Haringey** Education Committee in the Autumn of 1987.

Warwickshire expected its review to be completed by the end of 1987, but it had produced an interim paper *(A Report of the Working Party on the Implications of the 1981 Education Act)*, which set out the principles and philosophy of the working party. The paper also included some costings and discussion of the implications of some of the recommendations made in it. As a position paper it established a clear framework for the review and a positive commitment to an intergrationist model of provision.

Somerset, with its review due for completion in May, 1987, forwarded a booklet it has published called *Children with Special Educational Needs, a Guide to Assessment and Provision Relating to the 1981 Education Act*. A section on the LEA's response to the Act describes how the authority has reorganised and strengthened the education psychological service and its support services. **Barking and Dagenham,** with its review still underway, had also made additional provision in the interim, including two integrated nursery assessment units and a bridging course for 16-19 year old pupils with special educational needs at the local college of further education.

Bolton and **Bexley** both indicated that they were undertaking their reviews by stages. **Bolton** expected to have an overall review ready by the summer of 1988, and out of that would come the authority's policy statement on special educational needs and provision. **Bexley** was currently establishing a 'series of support classes and groups in mainstream schools' and said that the picture of provision was 'changing from year to year' but that it hoped to have a more 'coherent document' in due course.

The majority of these LEAs with reviews underway gave little or no information as to the nature or the extent of the reviews they were undertaking. As we shall see in the following chapters, local education authorities differ greatly in their interpretation of what a review of special educational provison entails. It is quite possible that some of the LEAs described above have, in fact, completed more comprehensive surveys of their special educational provision than many of the 'reviews' that other LEAs have completed.

Group 3: LEAs with special education continually under review

Eleven of the LEAs that replied to the survey said that they found the CSIE questionnaire difficult to answer. Their review of special educational provision was part of an on-going process and no one document could properly describe it. None of these LEAs enclosed review documents in their response. These authorities were:

Berkshire
Birmingham
Bury
Durham
Essex
Mid-Glamorgan
Newham
Rotherham
Sefton
South Tyneside
Wirral

Mid-Glamorgan was adamant that none were required:

'Arrangements for special educational provision are kept continually under review as specified in Section 2(4) of the Act. This Authority, therefore, has no need for reviews or surveys as such, as our policy is to meet special educational needs as fully as possible wherever and whenever it occurs.'

Most of the LEAs, however, had, like **Essex,** established working parties or sub-committees to keep under review the arrangements for children with special educational needs:

'There is an on-going review but we have not carried out, nor are there plans so to do, a one-off snapshot review of special educational provision in Essex in its entirety. To do so, given the size of the Authority, would be a major undertaking and would divert our very limited manpower resources from what we would consider to be more important tasks.'

In **Essex** the sub-committee used a *Policy Statement on Special Education* (dated 1983) as the basis for its review and planning of special educational provision:

'a) there will be an increase of provision of various kinds for pre-school children with special educational needs, with an emphasis on support for both children and their parents;
b) suitable resources and support will be developed in ordinary schools to enable them to make provision for children with special educational needs including some whose needs previously resulted in placement in special schools;
c) special schools, which will continue to play a significant role in the overall provision for children with special educational needs, will additionally be enabled to develop so that the special expertise of their teachers can be utilised more widely;
d) there will be fewer children with special educational needs placed in out-County boarding schools on the grounds solely of insufficient local provision.'

Both **Birmingham** and **Wirral** had begun to review their provision before the implementation of the Act in 1983. **Birmingham's** reviews have 'the specific objective of improving, integrating and rationalising their provision', and over this period the LEA has 'improved staffing and facilities in special schools, restructured several on primary/secondary lines, closed 5, created 7 within mainstream and a fund to support individual integration'. Thus, states **Birmingham,** 'We are an authority that is promoting integration as resources allow while not neglecting the needs of children in special schools or who will be placed there pending further initiatives in integration'.

Wirral has also conducted a wide range of reviews covering various aspects of special needs provision, but with an emphasis on the services provided to support children in mainstream schools. The authority has now commenced a major review of special school provision. **Rotherham,** on the other hand, has concentrated in the past on special school provision, but now sees its most important task as 'the creation of a structured support service for children with special educational needs in mainstream schools. The present support is based on an ad hoc basis rather than being provided by specialist support teachers. The Council is presently working towards appointing permanent support teachers.'

None of the LEAs in this category have given any indication of how far the public has been involved in consultation over plans for special educational provision. School closures and amalgamations must by law involve public consultations, but it is impossible to know how far the LEAs have been informed by public opinion when determining their policies and the direction of their special educational provision since the 1981 Act came into force.

Group 4: LEAs with completed reviews

The following is a list of the 34 LEAs which responded by saying they had completed their review under the Act.

Bedfordshire	1982/83
Bromley	Date not shown
Calderdale	November 1985
Cambridgeshire	1981/82
Cheshire	1986 (progress report)
Clwyd	December 1984 (policy statement)
Coventry	April 1986
Croydon	January 1986
Cumbria	1985/86
Derbyshire	Various dates up to 1987
Devon	November 1986 (annual review)
Dorset	(no papers, 'internal')
Dudley	February 1987
East Sussex	November 1984
Gwynedd	(internal papers)
Hampshire	April 1977/October 1986
Harrow	June 1986
Hertfordshire	December 1985
Hillingdon	1984/85
Humberside	Date not shown
ILEA	1985/1987
Lancashire	1983/1985
Leeds	April 1986
Leicestershire	1984/January 1987 (position statement)
Lincolnshire	February 1985
Newcastle	Various dates up to 1987
Northamptonshire	May 1986
Oxfordshire	April 1986 — 6 working party reports
Powys	Spring 1986
Redbridge	February 1985
Richmond	March 1986 (on going review)
Rochdale	March 1984 (response)
Sutton	June 1986/January 1987
Wolverhampton	September 1981

A total of 32 in this group of 34 LEAs forwarded papers that surveyed or described their special educational provision. In addition, two LEAs said that they had reviewed their provision, but did not enclose documents: **Dorset** replied that its review was 'internal' and no papers were enclosed, but the LEA did comment that 'the policy was to use ordinary schools wherever possible within the limits imposed by the 1981 Act'. **Wolverhampton** completed its review in September 1981 out of which came a five year development plan. The review, the LEA states, then became, in effect, its policy statement and was one which changed the emphasis from schools to services and produced more provision in mainstream schools. **Wolverhampton** did not enclose a copy of its 1981 review, but did say that while no further review had been undertaken, the LEA was still 'working to expand the development of the service'.

Not all of the LEAs that forwarded papers were prepared to describe them as 'reviews', and there was some confusion from **Leicestershire** and **Gwynedd** about the nature of the documents they sent in to CSIE; inbetween the first questionnaire and the second, both LEAs changed their response to the question: 'Have you conducted a review?' from the affirmative to the negative.

Leicestershire forwarded a series of *Position Papers* which clearly laid down the LEA's philosophy on integration and described the way in which provision would need to be developed with these goals in mind:

> 'The principle of integration as far as the individual child is concerned implies an approach that derives from services which themselves acknowledges the value of integration in both concept and delivery. To this end it will be necessary to pursue with Social Services department and the Health Authority the opportunities for linking services within a co-ordinated approach in keeping with child-care and health strategies.'

Gwynedd's papers included a review of the education officers' work in relation to priorities in budgeting for special educational provision. But, said the LEA, these were internal documents for the management group which would in due course become part of a comprehensive paper for the education committee. Other papers from **Gwynedd** covered the LEA's integration policy, the role of the psychologist, in-service training and a paper giving an overview of special educational provision. 'Altogether', says the LEA, 'this represents a reasonable overview and survey of special needs in the County'. None of these papers are for publication, but in the meantime **Gwynedd** is conducting a comprehensive review of its special educational provision, with no fixed date for its completion.

Humberside forwarded a printed booklet that it described as its review, which was no more than a list of all the special educational provision in the authority, together with a description of the 1981 Act and the procedures that must be followed under it.

Lancashire responded to the survey by saying that it had not reviewed its provision under Section 2(4) of the Act; but enclosed reviews by working parties that had been considering the implications of the integration of the law (Section 2 (2&3)), both of which had been used as the basis for public consultation and made recommendations for the development of special educational provision in the authority.

Rochdale responded to our request for a copy of their review by enclosing its 'response' to the 1981 Act. A paper which is very similar to other LEAs' first-stage reviews in that it describes the historical background to the 1981 Act, discusses its implications for the services, details current provision and then makes no less than 17 initial recommendations for the development of the service. A fuller review, says the LEA, is currently in hand.

Croydon, Northampton and **Clwyd** all sent CSIE their *Policy Statements* on special educational provision. **Northampton**'s has since become its 'review' and programme for action after consultation. **Croydon's** *Policy Statement* is very similar in approach to **Rochdale's** response. The paper from **Clwyd,** dated December 1984, looks at key areas where the LEA feels that developments are needed, including staff training, monitoring and assessment, special educational needs co-ordinators and the support services, and lays firm foundations for a forward-looking policy on special educational provision. A later paper dated 1986, *Re-structuring Provision for Children with Special Needs — One LEA's response to*

the 1981 Act, runs through the stages of development that the LEA feels are necessary, beginning with a section headed 'Making People Aware'. The document goes on to cover the organisation of the structure of support services for mainstream schools, special education department staffing, special needs teachers, the schools psychological services and the role of the special schools in outreach working. The **Clwyd** paper ends by saying:

'This particular County feels that it has travelled some distance along the road towards providing comprehensive integrated educational opportunities, but much remains to be done. Motivation, however, is high, and there is a belief that recent developments are in a positive direction which will enhance the opportunities and skills not only for children and young people but also for their parents, their teachers and those who work for them.'

Common to all these LEAs' papers — whether they are *Policy Statements*, *Responses* or simply *Working Party Reports*, is the style in which they have been written and the objectives which they pursue — establishing their thinking and overall strategies for special educational provision first, before becoming involved in the minutae of provision, structure and procedures.

All of the 'snapshot' reviews that CSIE received tell us a great deal about the LEAs' priorities in special education, by the areas of provision they choose to focus upon, the amount of detailed information that they give and the way in which the reviews are written and presented.

The 1981 Education Act and its implications for special educational provision were described in just one paragraph in the November 1984 review from **East Sussex**:

'The 1981 Education Act established a new legal framework for children with special educational needs, abolishing the former categories (eg ESN, Maladjusted) laid down in the 1944 Education Act and introducing instead a child-centred approach in the identification and assessment of special educational needs. The impact of the new legislation is reflected in the increasing number of referrals made to the County Psychological Service which point to a heightened awareness of special needs and an increase in parental expectations.'

This spare approach is carried on in a detailed review of five main areas of provision (pre-school, special schools, mainstream schools, 16-19 and agency placements) with cost implications that never once makes a mention of the LEA's views on the directions the authority is taking. Where special schools are described the paper states that consultations either have been undertaken or are in hand over planned changes, but the document is not in itself a consultation paper.

Lincolnshire had conducted 'a thorough review' of its special educational provision which the LEA hoped would provide a development plan for the next few years. But the summary of that plan which was forwarded to CSIE showed that the review had only attempted to cover what it described as 'the relatively small population of children (some 2.3 per cent of the total school population) who require special education in the traditional sense of special provision'. Furthermore, the review is only concerned with 'special provision' in terms of teacher numbers and buildings and leaves out any consideration of psychological and support services, although the paper does acknowledge that 'the proposals have implications for these related areas'. The wider group of children with special educational needs — the so-called Warnock 18% — will 'require separate consideration', states **Lincolnshire.**

Redbridge, in a slim report to the schools sub-committee (dated February 1985) which it describes as 'a comprehensive review of the operation of the 1981 Education Act' discusses the 1981 Act largely in terms of the strain it has put upon officers and the demands being made upon the authority by increasing parental expectations. Expectations which, the document seems to imply, are leading to an increasing demand for special school places. Indeed, the number of pupils in special schools and units in **Redbridge** have increased from 0.8 per cent of its total school population in 1980, to 2.3 per cent today. Giving very few facts or specific details of its special educational provision, **Redbridge** ends its unhappy review on the following note:

'There is no doubt that the intent of the Act was laudable . . . Unfortunately, however, the resultant additional costs at a time of severe financial restraints were not forseen or, until recently, even admitted by the Government. This report has outlined the local effects of the Act. Much progress has been made in establishing the framework for implementing its new procedures, but several areas have been identified in which developments are desirable and problems are still occuring. It is therefore recommended that the areas of concern mentioned above be the subject of further detailed reports particularly with regard to the resource implications.'

An equally discursive document from **Harrow** set the opposite tone. Its review (dated June 1986) takes a lot of time setting the 1981 Act in its historical context, and under each section of provision that it covers puts the arguments for change before its recommendations. Unlike **Redbridge, Harrow** positively welcomes the parents' role, describing the 1981 Act as a 'parents' charter', and the whole tone of the paper is aimed at winning over the hearts and minds of its readers to its integrationist philosophy. The review ends with a ten-point programme for development and concludes:

'As **Harrow's** schools extend their capacity to meet special needs, the place of the borough's special schools will need further consideration. This report suggests that at this stage they might each be associated with clusters of ordinary schools, might twin with one or more schools, and might find other ways of sharing their expertise. At a later stage, particularly if their numbers fall, a special school might perhaps move into spare accommodation in another school while retaining its own identity. At some stage, if the suggestions in this report work well, the Committee may need to consider whether to close one or more of the existing special schools. The officers should be asked to report further on this issue in about eighteen months.'

Hillingdon and **Powys** have clearly targeted their reviews at schools. At the end of a description of the nineteen members of its working parties the **Hillingdon** review states:

'It is the Working Party's view that provision for children with special educational needs cannot be successful unless the school's policy for such children

is understood, accepted and fully supported by the entire staff. The Working Party hope that these guidelines will provide schools with a basis for constructive thinking and for making proper provision for children with special educational needs.'

Powys' review, *Special Educational Needs: a Flexible and Integrated Service*, was circulated to all schools in **Powys** for comments from headteachers, teaching staff and governing bodies during 1986. Unlike **Hillingdon,** whose review covered the whole range of provision from policy, existing procedures and services and recommendations for development (including tables and a full reading list on the subject), **Powys'** 'flexible and integrated service' was covered in seven very widely-spaced pages and offered little detail to respond to. Resources, for example, was dealt with in just one sentence: 'It is suggested that existing and future additional resources should gradually be deployed in accordance with the policy of continuing the development of an integrated and flexible service for pupils with special educational needs'.

First stage responses

Of this large group of 34 LEAs that responded to the survey by sending copies of their review papers there were twelve LEAs with reviews that followed the same format. All twelve reviews represented a first-stage response to the 1981 Education Act and were intended to be used as the basis for widescale consultations on the LEAs' proposals for the development of their special educational provision. Most of these reviews included information on:

- the reasons for the review, the 1981 Act and some historical background
- the LEA's own response to the Act, its guiding principles and philosophy
- a breakdown of existing special needs provision
- recommendations for development of that provision in the light of the 1981 Act.

The twelve LEAs in this category were:

Bedfordshire
Bromley
Calderdale
Cambridgeshire
Cumbria
Derbyshire
Dudley
Hertfordshire
ILEA
Leeds
Northamptonshire
Sutton

Some of these 'snapshot' reviews were produced in booklet form, whilst others were sub-committee papers. The dates they were completed ranged from as early as 1981 up to 1987. Some, but not all, gave information about the make up of the working parties that had produced them and described how they had operated.

The **Inner London Education Authority (ILEA), Northamptonshire** and **Cumbria** were amongst this group of 12 LEAs that told us they had extended membership of their review working parties beyond council members to include education officers, teachers and inspectors from both mainstream and special schools and educational psychologists. The **ILEA,** as befits the largest authority in the country, appointed the largest team; inviting John Fish, formerly HMI Staff Inspector for Special Education, to lead a team of 16 members. Parent and voluntary bodies were consulted as the reviews were undertaken, but none of the LEAs appeared to include a parent representative on their working party, despite the 1981 Act's consumer-orientated approach and the significant role accorded to parents in the assessment and statementing procedures.

Most of the reviews opened with a short description of the working party's brief. For the **Inner London Education Authority** it was: 'To review the range, quality and coherence of provision to meet special educational needs in the Authority (in primary, secondary and special schools and in supporting institutions and services and in the context of post-school provision) particularly in the light of the Warnock Report and the 1981 Education Act and the Authority's initiatives to promote equal opportunities and combat under-achievement of children from all backgrounds, and to make recommendations to the schools sub-committee through the Chief Inspector by Easter 1985'. The **ILEA**'s findings were published in a 299 page book entitled *Educational Opportunities for All?* commonly known as the *Fish Report*.

Leeds was more precise about the brief of its working party and listed its objectives on the front page of its report *Special Education — Audit of Provision and Needs* (dated April, 1986):

'a) to review the Assessment and Statement procedures;
b) to complete an audit of special education provision and needs;
c) to make proposals for developing provision to meet identified needs and the necessary structure for a co-ordinated city-wide system;
d) to detail the resource implications involved:
i) in a revised Statementing procedure,
ii) in maintaining and integrating in mainstream schools, pupils having special educational needs,
iii) in ensuring the necessary partnership between all interested parties;
e) to prepare a schedule of proposed changes.'

These opening paragraphs usually set the tone of the following review. In discussing the 1981 Education Act a few of the LEAs were cautious and quite selective as to the aspects of the Act they chose to highlight. **Sutton** made specific reference to changes which abolished the different categories of handicap, but made no mention of the LEA's duty to integrate (Section 2 (2) and (3)). Other authorities spelt out that duty but took care to list all the provisos, too. **Cumbria** confronted them head on:

'Excluding conditions may, at least until challenged, be interpreted as strictly or as fully as an Authority may wish, but in practice most Authorities are making efforts to move substantially away from segregated patterns of special needs provision towards meeting special needs within or in close association with ordinary schools.'

Bromley, in its review subtitled *A substantially modified plan of the dynamic nature of special needs*, set out its philosophy behind its framework for special needs provision in its opening lines:

'The philosophy behind the framework now put forward is four-fold:

i) a total concept should be adopted of special services which, in line with the 1981 Act, would abolish the distinction between 'normal' and 'special' provision;
ii) links need to be established and maintained between services;
iii) provision should be based on the needs of individuals; and
vi) the service should be based on the principle of integration, achievement and the quality of life.'

Cumbria, Derbyshire, ILEA and **Cambridge** all saw the partnership with parents as a central feature of the 1981 Act. The **ILEA** and **Cumbria** each devoted a whole chapter of their very thorough reviews to considering formal strategies for developing this partnership (**ILEA**'s chapter is reprinted in CSIE's earlier survey, *Caught in the Act*). For **Cumbria,** the parental contribution was a vital aspect of the assessment procedure:

'One feature of the legislation which was unreservedly welcomed, not simply as a matter of principle but, in general, as a great practical benefit in the business of determining a child's special educational needs and the most appropriate means of responding to these, is the requirement for substantial parental involvement in formal assessment procedures and in the subsequent reviews of the effectiveness of the provision made.'

Both **Cambridgeshire** and **Bedfordshire** produced their reviews before the implementation of the 1981 Act in April 1983. **Cambridgeshire** conducted its review in 1981/2 and the booklet *Children With Special Educational Needs, A Review of Provision in Cambridgeshire*, was produced after widespread discussion with the whole range of professional and administrative staff involved in education, including voluntary agencies, the social services and the area health authority. In its summary the review states:

'In keeping with the objective of helping children to progress as far as possible towards achieving independence, the Authority acknowledges that special schools, units and classes will have dual aims *ie* directly helping the child and family, and, secondly, in working towards the child's return or entry to normal school . . .

Special educational provision will include all special schools, units and classes within ordinary schools where these classes admit children from schools other than the school in which the class is located. It will also include the provision of specialist teachers working in Health Service and Social Services Departments and peripatetic staff dealing with children's special educational needs within the Education Department.'

The LEA was to 'keep the special education budget and provision under regular review in the light of developments in ordinary primary and secondary schools', but no further 'snapshot' review of special educational provision in **Cambridgeshire** has been undertaken since 1982, although one is planned for 1987/88. The review ends with a list of recommendations covering no less than 23 different aspects of provision.

Bedfordshire conducted its review in 1982 in anticipation of implementing the 1981 Act in April 1983. After consultation the review became, in effect, the LEA's position statement in relation to special education. Since then many of its recommendations have been implemented, and overall provision is kept under review with an annual report to appropriate committees making recommendations on the way forward.

The paper describes the 1981 Act in a short introduction before a thorough review of existing provision under 27 separate sections, but there is little discussion about the LEA's own philosophy on special educational provision and it is difficult to get a sense of the authority's overall direction and planning from it, particularly with reference to special educational needs being met in mainstream schools. In a supplement to the review, however, dated September 1983, this issue is dealt with in some length because of concerns that arose from the consultation over staffing, training and resourcing for integration. A letter from headteachers to the authority expressing these concerns ended by saying:

'The broadening of the concept of special education and the challenge it presents is welcomed by us all. We hope that the bonds of the present economic stringency will not transform the future from an era of freedom, re-appraisal and enlightened development into one of priorities, inhibitions and frustrations.'

Leeds and **Derbyshire** both circulated questionnaires to parents to elicit their opinions of special needs provision and procedures. **Derbyshire** made consultation with parents and others involved in the education service the central theme of its review, and sent out seven sets of questionnaires, including one to a 10 per cent sample of parents all of whose children had undergone a full multi-professional assessment since the implementation of the 1981 Act, to ask for their views of **Derbyshire**'s special educational provision (also reprinted in CSIE's earlier survey, *Caught in the Act*). The material gathered from the LEA's questionnaires together with additional observations were to form the basis for a major submission to the Education Committee in 1985.

Equal opportunities was a principle feature in some LEAs' philosophies of special educational provision:

'The aims of education for children and young people with disabilities and significant difficulties are the same as those for all children and young people.'
(ILEA)

'All children live in the same society. Our responsibility is to prepare them to play a useful part in it. It follows therefore that there should be common aims for *all* children regardless of their disabilities. This can only mean that the long term objective should be to give all children some experience of the mainstream setting of education.'
(Calderdale)

'All young people, whatever their sex, race, ethnic or national origin or special circumstances, should receive similar access to educational opportunities.'
(Northamptonshire)

Both **ILEA** and **Calderdale** followed this principle with discussion on the need to change attitudes as well as structures. 'For successful integration into mainstream education of pupils with special needs,' says **Calderdale**, 'there must be positive and optimistic attitudes in schools, the necessary level of expertise to meet the pupils' needs, and the resources deemed necessary to effectively support the pupil.' For the **ILEA** a major implication of its aims and objectives was the need for 'Changing attitudes, arrangements and approaches in

schools, colleges and the community to minimise inequalities and reduce barriers which may have handicapping effects.'

Of the twelve LEAs discussed in this section, only five of them, **Bedfordshire, Cambridgeshire, Leeds, Cumbria** and **Sutton,** went straight on from a description of the 1981 Act into describing their special educational provision without any reference to their own aims and principles.

In describing existing structures of special educational provision, LEAs varied in the degree of detailed information they gave about their schools, and the numbers of children and staff involved. **Dudley, Hillingdon** and **Northampton** gave no statistics at all but in each section described provision in general terms. **Cambridge, Sutton, Hertfordshire, Bromley, Leeds** and **Cumbria** all included details in an appendix. **Leeds'** review was by far the most detailed, and even apologised for the sheer volume of evidence contained in the appendix, which made the document twice as thick again. **ILEA, Calderdale** and **Bedfordshire** all included brief statistics within each area of provision being described. Only three LEAs, **Leeds, Cumbria** and **Calderdale,** made any attempt at detailing costings at this point in their review.

At this stage of the review process, with the LEAs establishing the framework and getting the thinking right for special educational provision, only **Cumbria**'s review made recommendations for the reorganisation of specific schools. **Cumbria** said that 'the mushrooming growth of individual support arrangements involving educational needs within ordinary schools' was 'threatening to burst budgetary bounds' and urgent action was necessary.

Instead the majority of these reviews were concerned to recommend strategies for developing a unified and co-ordinated service for special needs provision. In its introduction, **Dudley**'s review stated:

> 'It is important to understand that the recommendations made in this report are intended to offer an integrated approach to special educational provision which will impact on all aspects of the education service, not simply a group of specialist teachers and support services.'

The **ILEA** was concerned to stress that 'integration in society is a process, not a state. It is not simply a question of placement in the same groups and institutions as others. It is a process which requires continued and planned interaction with contemporaries and freedom to associate in different groups.'

Common themes for this 'integrated approach' to special educational needs did emerge. The schools psychological services were to be bolstered with more educational psychologists in most of the LEAs. In-service training for all teachers, special needs co-ordinators in mainstream schools, and closer liaison between special and mainstream schools and between LEAs, Social Service and District Health Authorities were all recommended. For **Sutton** there were five priority areas:

> 'i) improving provision for pre-school children with special educational needs;
> ii) strengthening the support offered to children with special educational needs in mainstream schools;
> iii) improving Further Education provision for young people with special educational needs;
> iv) improving provision for the profoundly handicapped;
> v) improving provision for in-service training.'

Leeds' review made a commitment to eventually educating every child within mainstream schools, but over time and with the proviso that this would only be possible when 'sufficient financial resources are made available'. In the meantime it recommended development in three phases with feasibility studies using a number of selected schools from which to formulate the detailed planning and implementation of a system for meeting special educational needs in mainstream schools.

Cumbria was vexed by the geographical limitations of a rural area with a plethora of small schools where 'a sustained and comprehensive policy of seeking to meet the needs of all, or almost all, children with substantial learning difficulties of one kind or another in the local primary or secondary school would not only be extremely expensive but also educationally inefficient because it would dilute the limited amount of professional expertise available to the point at which it might be achieving very little in any particular school.' The working party felt that 'some kinds of specialist provision will have to be made on a strategic area basis', even though this might be seen as a retreat from integration, because this was the reality of current provision and resourcing.

All of these reviews were to be used as the basis for widespread consultation, but even before they were published **Leeds, ILEA, Cumbria, Dudley** and **Derbyshire** had all asked for evidence to help inform the working parties producing the reviews. **ILEA** received over 500 responses from individuals, governing bodies and professional and voluntary organisations, and a summary of these responses was published in the *Fish Report.*

Spine-backed copies of the finished reviews from **Northamptonshire** and **Hertfordshire** and a bound copy from **Cambridgeshire** made them more inviting and attractive to read. A title and front cover for **Cumbria**'s *One in Five* made the report more human and its hefty appendix was less daunting by being broken up into different colour codes. **ILEA**'s Fish Report, *Educational Opportunities for All?* was probably far too long for general consumption, but the LEA produced a summary for wider readership. Of the twelve reviews, **Leeds** was probably the least manageable with 127 closely-typed pages and no contents list to guide the reader through them. The way its review was presented and received was an important issue for **Cumbria** LEA which wanted parents to be properly and fully involved in developments that might take place:

> 'The Working Party was anxious that their final report should reflect their *commitment to a policy of active co-operation* between the education department and parents, which recognises the positive contribution that parents can make to the education of their children . . . Parents are regarded both as a potential resource in helping their own children and as requiring sensitive support in facing the stresses of having a child with special educational needs.'

Group 5: Specific areas reviewed and no general 'snapshot'

Barnet
Cleveland
Kent
Shropshire
Stockport
Sunderland
West Sussex

Seven LEAs had sent papers reviewing specific areas of provision, and as such these papers give no overview of the authorities' overall policy, direction and planning for special educational provision generally. **Barnet** and **Sunderland** both forwarded reviews of provision for children with emotional and behavioural difficulties. **Sunderland's** next review was to be on mainstream provision — which might suggest that mainstream and special school provision are considered by the LEA to be two quite separate sectors.

Stockport was very aware of the problems that might arise from an ad hoc response to the 1981 Act. In a consultative document *The Implementation of the Education Act, 1981* (dated December 1982), which at the time CSIE felt stood out as one of the most forward-looking documents of its kind, the director of education argued the case for clear policy direction before anything else could follow:

'The task now facing the Education Committee and the Council is of immense importance. It is also a peculiarly British task typical of many developments in our social history. The process has been that a Commission of expert advisers — the Warnock Committee — has surveyed the field and recommended a major shift in policy for special education, encapsulated in a single word — integration. The Government has responded and enshrined this concept with its many attendant implications, into legislation — the Education Act, 1981. It is now a matter for local authorities to implement the Act. There is no further national direction to come other than some regulations largely to do with procedures and interpretation of the law. There are no specific additional resources to be made available. Local authorities must determine their own organisation and order their own resource priorities within the very broad parameters now laid down.

No-one, therefore, is going to present Stockport with a model for the future development of special education after the 1981 Act. We must devise our own and that is why this report and the further debate it will generate are so important. We must get our thinking right now before we worry too much about the final details of provision, structure and procedures.'

Kent appointed a group of members to consider a 1984 report reviewing special educational provision, and since then the group has discussed nine separate areas of provision, including support services for children with special educational needs in ordinary schools. The 1984 review made it clear that the distinction between special and ordinary schooling should be blurred:

'The 1981 Act effectively takes away the rigid barrier between special education in special schools and remedial education in ordinary schools and looks towards a partnership between those concerned. One possibility is to promote liaison between a group of schools (ordinary and special) on an area basis, the guiding principle would be that of gradual development from ordinary to special school.'

The same paper saw scope for considerable savings by reducing out-county placements in maintained and independent special schools, thus releasing resources for the development of services within the county in line with the demands of the 1981 Act. A year later in 1985 a further review of special education identified seven areas where savings from out-county fees should be directed for the development of special educational provision. Amongst these were post-16 provision in further education colleges, in-service training for staff in the identification and assessment of children with special educational needs and the need to strengthen the schools psychological service.

West Sussex forwarded their most recent review dated October 1985 — a seven-page document describing current provision across the county by categories of special educational need and describing developments that have taken place under each section. There are no sections in the review discussing support services or in-service training, or the provision being made for the 18 per cent of children with special educational needs in mainstream schools. Under *Future developments* the document acknowledges these omissions:

'There are, however, a number of other issues in this part of the service which are likely to need detailed consideration shortly. Some of these, such as the education of children with substantial special needs in mainstream school or college with appropriate specialist support and the provision for children with special educational needs of less severity that would be expected to require separate special education . . . arise from the continuing debate about special needs provision following the implementation of the 1981 Act.'

The paper ends by saying, 'special needs are now very much to the forefront in discussions about provision in all sectors of the service and the next four years promise to be an exciting time in the development of special services in the county.' Nowhere in the paper does the LEA discuss specific future developments or the resource implications of the 1981 Act, except to say that 'During the past two or three years a number of improvements and developments in special services provision have been approved but only partially implemented due to insufficient resources being

available at the time.' The document was prepared as a background paper for the sub-committee, and there is no suggestion that it is to be used as the basis for a consultative document.

Cleveland, on the other hand, sent a review of provision for children with learning difficulties that contained in full all the submissions it had received as a result of the consultation. The original consultative document was attached as an appendix, and opened with a quotation from Bob Dunn, MP, Under Secretary of State in the **Department of Education and Science:**

> 'The principle is that pupils with such needs are to be educated in ordinary schools unless there are good reasons to the contrary and our task is now to create schools and support structures to achieve this in practice.'

As a consultative document, the paper takes care to rehearse the arguments for the review, quoting not just Section 2(4) of the Act, but the principles and requirements of the 1981 Act and increasing parental expectations for mainstream schooling for their children. It describes the way the curriculum and support service for children with learning difficulties might be developed, before detailing proposals for areas of the county, and how change would be managed. The report was circulated to parents, teachers, governing bodies, district health authorities and other local education authorities affected. Following the consultation exercise the report was accepted, subject to two changes, as the school sub-committee's policy for provision within the County for children with learning difficulties, and the Secretary of State approved the proposals contained in the report to commence in September 1987. **Cleveland's** next review will look at provision for children with behavioural and/or emotional difficulties.

Shropshire sent CSIE eleven papers dating from March 1983 to February 1986. Several of the earlier reports still use the old labels of 'maladjusted' and 'mentally handicapped' when reviewing provision, and it is not until we get to September 1985 that a more general review of special educational provision and the 1981 Act appears before the Primary and Special Education Sub-Committee. The paper discusses initiatives on integration, present provision and 'categories' of children, stating that: 'If the very process of integration is to be meaningful, it has to be based on the fact that children are children and therefore that de-categorisation is fundamental'. A separate paper to the same committee meeting looks at the resource implications:

> 'At the very least integration means keeping children out of special education for as long as possible. That means providing over and above, in the ordinary primary and secondary school. At best, it means a steadfast, well-resourced and committed policy to ensure that most children with learning difficulties have optimum access to mainstream primary and secondary curricular opportunities.'

The difference in emphasis between **Shropshire's** reviews in 1983/84 when the 1981 Act first became law, and later reviews in 1985/6 is most marked, with the September 1985 paper fully embracing the principle of integration and the reality of the fundamental changes that need to take place in both attitudes and the structure of special educational provision. What the papers do not indicate, however, is what strategies the LEA intends to use to involve the communities it serves in this change of emphasis.' □

Following on from the review

Documents from 11 LEAs in the survey clearly illustrate the process of continual assessment and development of their special education provision, and the role that reviews can play in monitoring this development. The 11 we have put into this category are:

Cheshire
Coventry
Derbyshire
Devon
Hampshire
ILEA
Newcastle upon Tyne
Northamptonshire
Oxfordshire
Richmond
Sutton

The **ILEA, Sutton** and **Northamptonshire** all sent CSIE documents that described the response to consultations on their first-stage 'snapshot' reviews. In **Northamptonshire**'s case this simply meant re-packaging its consultative document into a brightly-coloured booklet and adopting the recommendations made in it. This document has now become **Northamptonshire**'s development plan for its special educational provision, but it gives few specific details of costs or the time-scales involved in implementing these proposals.

Sutton's report on the consultation was a nine-page document (January 1987) summarising the proposals made in its first review and the responses it received from the consultation. On integration the LEA reported a response that mirrored its own initial reservations:

'The great majority of comments received on the subject of integration endorsed the general principle but stressed the importance of sufficient resources being available. Large class sizes and the current pupil-teacher ratios were seen to be impediments to the acceptance of handicapped children. There is concern that teachers in mainstream schools might not have the necessary expertise to understand and manage the special educational needs of handicapped children. The importance of adequate in-service training and support services was stressed. There would need to be close consultation with the District Health Authority to ensure adequate provision of speech therapy and physiotherapy.'

Sutton plans to seek to reduce its dependence on out-borough placements by developing further educational provision in the borough and savings from that would be used to facilitate the integration of children with special educational needs into mainstream schools. An advisory teacher for special educational needs would be appointed in the first instance to assist in the training and support for teachers in ordinary schools and further education establishments, and as resources permitted, a programme of planned adaptations and improvements to meet the needs of physically handicapped children would be supported.

Many of the document's comments showed the need for considerably more thought and planning towards a co-ordinated approach to special educational needs than the first review had embarked upon, and **Sutton**'s response to the consultation ended with a commitment to giving further consideration to 'whether the present arrangements for supporting children with special educational needs in ordinary schools would be improved by the creation of a more formalised special needs support team.'

By contrast, the **ILEA** had made the need for a co-ordinated service of special educational provision the main theme of its first review. In its paper reporting on the consultation (March 1987) the main recommendation was: 'That the Authority adopts a policy which aims to meet children's and young people's special educational needs within mainstream nursery, primary, secondary schools and colleges.' And while the paper recognised the resource implications and the concerns that people had at such a policy, it argued that no coherent policy for the development of a unified service could operate unless this commitment was spelled out from the very beginning:

'Adoption of the policy recommendation and progress towards its implementation can themselves provide a resolution of the concerns which have been expressed. Creating specialist resource bases in primary and secondary schools for children with disabilities and learning difficulties will bring an infusion of additional specialist teachers to the schools, re-assurance of parents as to the security and the progress of their children in primary and secondary schools will come from making arrangements and showing, as has been shown elsewhere in the country, that they can work well. Attitudinal change will spring from a greater degree of association of children with disabilities, not from separation; the development of the confidence of teachers in their ability to meet a wide range of educational needs will come from their experience of doing so, not from the separation of particular groups of children.'

In support of its long-term objectives, the **ILEA** stated that provision should include:

'a) individually supported placements and resource bases in mainstream schools, such provision to be built up in a phased programme which maximises the use of skills of teacher and support staff with expertise in special educational needs;
b) as a corollary to a) a reduced number of linked special schools, including boarding schools, to take account of the needs of some children for such provision;
c) a programme of in-service training to enhance and retain the skills of staff in both special and mainstream schools.'

Consultations were to take place on a divisional and authority-wide basis on the structures required to put **ILEA**'s policy into

effect, and the Policy Sub-Committee was to receive an annual report on 'how far the relevant Sub-Committees are meeting their commitments to effective consultation with staff, parents and governors and to allocating sufficient resources to mainstream schools to ensure that provision for pupils with special needs is fully adequate.'

Derbyshire has conducted an annual cycle of meetings with voluntary and support organisations representing the interests of children and young people with special educational needs in the Authority since its first review and consultations in 1984, so as to jointly appraise the quality of provision and consider possibilities for future service development. Developments that have taken place since the review have included revision of assessment procedures, including the provision of a computer base and programme, an increase in the number of educational psychologists and the creation of primary peripatetic support teaching teams. Additional teaching facilities for special needs have been created, and in-service training packs and programmes developed. In addition the authority has run an awareness seminar for members of the education committee and training programmes for professionals in the District Health Authorities, the social services department and schools.

Newcastle Upon Tyne conducted its first major review and consultation at the same time as **Derbyshire** in 1984 and 1985. By March 1987 the LEA had received approval from the Secretary of State for its reorganisation scheme, for implementation in September 1988. Amongst its general aims the LEA states:

'The need to identify and assess the special educational needs of children as early and as thoroughly as possible is recognised, along with the requirement for a range of suitable educational opportunities, to ensure that the special educational needs of each child are met in an appropriate manner. . .

Steps will be taken to reduce barriers between special and mainstream schools and between special schools, replacing the present segregated settings for children with 'moderate' and 'severe' degrees of learning difficulty with broadly-based schools providing for the full range of pupils with learning difficulties. Integration schemes for special school pupils will be encouraged and links between special schools and the local community.'

To this end, the LEA is to appoint a headteacher/co-ordinator with overall responsibility for the operation and management of the support service for children in mainstream schools, with a team of 53 teachers in five area teams each under the direction of a deputy head. These teams are to be based in primary and secondary special schools which are to be designated as 'special needs resource centres' in line with the Warnock recommendations, and each centre will provide in-service training facilities to all staff who wish to develop their skills in special needs teaching.

Actual details of the way provision has developed or will develop in the future were missing from four brief reviews looking back over developments in **Richmond, Devon, Cheshire** and **Coventry. Richmond**'s review, *Children with Special Educational Needs in Mainstream Schools in Richmond upon Thames* (March 1986) explained in its introduction:

'The Warnock Report and the 1981 Education Act raised an expectation that a new approach would be adopted to deal with children who had learning difficulties. This paper indicates some of the strategies that have developed in **Richmond** to support these children and how greater professional assessments of children's needs is leading to a whole school approach to meet them; and the ability of schools generally to integrate more children.'

Devon's paper was the LEA's sixth annual review of special education since 1981. The paper does not concern itself with future developments and only describes in very general terms the way provision has been developed over the previous year:

'Encouragement has been given to secondary schools to establish new departments staffed by teachers who have relevant qualifications and experience able to provide support to pupils with a wide range of special needs throughout the school. Many secondary schools are awaiting the allocation of additional staff preferably through a review of the curriculum staffing model to develop their special needs provision.'

The Working Party in **Cheshire** has presented seven separate reports on special education to the Secondary and Special Education Sub-Committee between March 1983 and March 1986. The most recent documents chart developments that have taken place over that three year period under three main headings: In-Service Training, County Psychological Service and Special Classes/Units Attached to Primary and Secondary Schools. At the end of the summary, the paper comments briefly on all the points raised giving some indication of where future developments lay. The LEA was still waiting for the report on the Educational Psychology Service which, it said, 'would show how far the adequacy of the service matched the demands it properly had to meet.' The provision of units for mainstream schools designed to match the need that was identified in 1983 had, reported the LEA, 'been delayed by capital expenditure constraints (which are outside the Authority's control) and by governors' reluctance to accept units in their schools where these were intended for pupils exhibiting emotional and behavioural difficulties.'

The review from **Coventry** gave least information about the LEA's development of its special educational provision, being solely concerned with commenting upon consultations over its plans to re-organise its special school provision. Plans which had been agreed in principle by the Secretary of State for implementation from August 1986.

Papers from **Hampshire** gave a more comprehensive picture of the LEA's thinking and developments in special educational provision over time. The authority enclosed two reviews, one dated September 1983 and the latest dated October 1986. By 1986 the LEA had moved on from considering its special educational provision largely as a series of separate areas according to categories of need and the services provided specifically for those needs, to recognising that a more flexible and coherent approach was necessary if the LEA was going to be able to respond to individual needs as and when they arose:

'If resources (both financial and human) are tied specifically to the special education sector, it is

difficult to achieve the organisational changes necessary to increased integration possibilities. It should therefore be the aim to develop sufficient flexibility to allow resources to be allocated where they will have the greatest benefit.'

This statement is in marked contrast to one made in **Hampshire**'s 1983 review which then appeared to match children with special needs to the resources the LEA had available:

'For many pupils the most appropriate educational provision will continue to be in special schools where the curriculum, availability of resources and expertise and general ethos create the most satisfactory educational environment.'

Oxfordshire has been developing pioneering integration schemes over many years and its 1986 review of special educational provision which consisted of six different papers considering developments that have taken place, makes specific reference to the need for a coherent but flexible approach to special needs provision. 'Underlying all the debate', states the county education officer in his introduction to the papers, 'and the existing and possible future practices are two fundamental concepts, the first related to special needs provision in particular and the second related to the management of change.' The author described this debate as:

'The Isolation/Integration continuum; which includes such issues as the balance of advantage of educating pupils with special needs together in isolation in special schools/colleges; or in groups within ordinary institutions; or individually within ordinary classes. The arguments, both for and against, cover perceived educational and social benefits, aspirations and needs of families; economic provision of facilities and human support; the internal organisation of institutions; and training, development and transferences of special expertise. The isolation-integration debate is not a passing one. It is part of the fabric of special needs provision and will be revived and rightly so in relation to every child and their family at appropriate times in their lives. It is the background against which decisions on particular provisions and particular practices in this field must be made and it should be welcomed, and used creatively, not destructively.'

In line with this flexible approach, one of the six working party reports envisages future developments in **Oxfordshire** consisting of arrangements that will allow for 'some pupils on the roll of an ordinary school to attend a special school for a concentrated period, full or part-time; individuals as opposed to groups on the roll of a special school to attend an ordinary school for at least a period of time; provision for even the most severe needs within special environments on the sites of ordinary schools in the long-term in some areas.'

'There is,' the Working Party paper states, 'no doctrinare policy which all schools and teachers are obliged to follow. Rather there is a climate of approval, evidence of good practice assiduously supported and critically evaluated and a realisation that the vital pre-requisites to any steps tried locally are confident teachers and supportive governors and parents and understanding local communities.' □

Conclusion

The nature and variety of the reviews discussed in this survey mirror the wide range of developments and approaches that different LEAs have adopted towards special educational provision.

The two previous CSIE surveys both highlighted similar variations as has the Select Committee Report which has been critical of the lack of central guidance on key aspects of the 1981 Education Act, as well as a lack of funds to properly implement the new law.

These reviews of LEAs' special educational provision show a marked contrast between LEAs that have made a careful and considered response to the 1981 Act and looked at their provision in terms of an overall strategy, and those that have parcelled it up into separate categories with no indication of how these might fit into a coherent whole.

An ad hoc response to the duty to review with little or no public consultations on a LEA's central philosophy and objectives, contrasts strongly with one that involves the widest possible audience both in the make-up of its Working Party and the range of consultation undertaken.

It would be wrong to describe any one of these documents as a definitive statement of the LEA's position on special educational provision, as **Oxfordshire** stated, 'the isolation-integration debate is not a passing one', but nonetheless they do give clear indications of the directions and strategies of the different LEAs. Those authorities that have not yet begun a comprehensive review of their special educational provision would do well to reflect on the approaches of others before they begin. □□

Appendix one

House of Commons Select Committee Report on the 1981 Education Act

CSIE SUMMARY

Written by Rick Rogers

SPECIAL EDUCATIONAL NEEDS: IMPLEMENTATION OF THE EDUCATION ACT 1981

Third report from the Commons Education, Science and Arts Committee; session 1986-87; volume 1; HMSO, £10.80; published on 14 June 1987.

Introduction

The Commons Select Committee on Education, Science and Arts decided to look at how well the 1981 Education Act was working for two main reasons. First, the Committee's earlier enquiry into primary education had raised issues about special education which needed to be looked at in more detail. Second, as the Act had come into force in 1983, the time seemed right for an assessment.

The calling of the June 1987 general election meant the Committee had to complete its report sooner than intended. Nevertheless, says the Committee, it is a final report, drawing attention to the main issues and discussing the problems found. However, in many areas, such as teacher training, provision by health and social services departments, and how the Act affects young people over 16, it has only been able to highlight matters of concern rather than point to solutions. It hopes a future Committee will look more closely at these issues.

The Committee considered written and oral evidence from government departments, local education authorities, professional organisations, voluntary bodies, and individuals. It also visited three LEAs — Derbyshire, Hertfordshire and Sheffield — to see how each was operating the 1981 Act; and Denmark and Sweden to see how they provided for children with special educational needs.

What follows is a list of the Committee's recommendations and conclusions, and a CSIE summary of its report.

The Recommendations and Conclusions

1 National curriculum The Department of Education and Science (DES) should look closely at the implications for children with special educational needs of the Government's proposals for a national curriculum and for monitoring individual progress at seven, 11 and 14.

2 Befriender initiatives Local education authorities (LEAs) should encourage and fund 'befriender' initiatives by voluntary organisations to support and advise parents in their dealings with schools and LEAs.

3 A definition of integration Supporting the principle of integration does not necessarily mean insisting all children with special educational needs be educated in primary and secondary schools rather than special schools.

4 Evaluating integrated provision Progress towards integrated forms of provision should be evaluated in terms of their educational quality and their wider appropriateness so LEAs can be given greater guidance.

5 Resources The lack of specific resources has restricted implementation of the 1981 Act, and further progress depends on a commitment to extra resources.

6 Guidance on needs and provision More guidance is needed on identifying the wider range of special educational needs and on when a statement of such needs might be required. National guidance should be given on what constitutes special educational provision in order to clear up current uncertainties.

7 Variations in provision The DES should examine why there is a wide variety in the extent and type of provision for children who have statements.

8 Information on provision More information should be given on the wider forms of special educational provision.

9 Guidance on staffing There should be a specific allocation of teaching time, within primary and secondary school staffing ratios, to meet the wider range of special educational needs. A DES circular on staffing should be issued, highlighting best practice.

10 Assessment and statementing procedures Some aspects of the current procedures for assessing children and making statements are not working properly. The DES should investigate how to improve these procedures and provide LEAs with examples of best administrative practice.

11 Pre-school children The DES, along with LEAs and the Department of Health and Social Security (DHSS), should carry out a study into how well the 1981 Act is working for pre-school children.

12 Post-16 provision The Act's provisions should apply equally to young people with special educational needs between 16 and 19 whether they are in secondary school or further education college.

13 Monitoring the 1981 Act The DES, or some other body appointed by it, should more effectively monitor how the Act is working and provide guidance based on such monitoring.

14 A national body A multi-disciplinary national development group should be set up to contribute to stimulating good professional practice in meeting the special educational needs of children and young people from 0 to 19 in those aspects that Government and other interested parties agree are priorities.

15 LEA policy The successful implementation of the 1981 Act depends on a local education authority developing a clear and coherent policy which has the support of those most affected by it — parents, teachers and voluntary organisations.

The Report

The changing educational context

The 1981 Act came into force at a time of falling pupil numbers and restrictions on resources for education. At the same time, schools have had to take on board major recommendations in the Swann Report on the education of children from ethnic minorities, the new GCSE exam system, and developments in technical and pre-vocational education, such as TVEI. The education sector has also been pre-occupied with concerns about standards, and the long-running dispute over teachers' pay and conditions.

All this has made it difficult for schools and LEAs to respond as they might wish to the Act's requirements to identify and meet children's special educational needs.

Proposals for a national curriculum, monitoring how children perform at certain

ages, and defining levels of achievement by tests have particular implications for children with special needs. How are individual results to be interpreted? What is the relationship between an inability to reach the standards set and identifying special educational needs under the Act? The Department of Education and Science (DES) must pay close attention to these implications.

Recommendation 1

Much, though, has been accomplished since 1983. The general thrust of the Act has been accepted. Local education authorities (LEAs) and schools now pay greater attention to provision for special educational needs. It is becoming an integral part of school work, more widely recognised and planned for.

The role of parents

The Act gives parents a greater say in the assessment of and educational decisions about their children. But while it has enhanced their position, parents often feel their contribution remains insufficient or ineffective. Common problems are:

- inadequate or unclear information about an LEA's assessment procedures and the provision available;
- not enough help to take part in assessment;
- too little weight given to their views during assessment;
- lack of choice about provision.

Parents from ethnic minority groups, in particular, receive too little help to play their rightful part in assessment procedures. Many parents would welcome help from someone not closely linked with the LEA. One effective and inexpensive way is for members of voluntary organisations to act as 'befrienders', helping parents in their dealings with LEAs and schools. LEAs should encourage and fund groups to provide such a service.

Recommendation 2

The principle of integration

There are different views on the complex issue of what is meant by integration. Some define integration as placing a child with special needs in an ordinary class in primary or secondary school, whereas placement in a special school is not. Others put the emphasis on the opportunities created for interaction between a child with special needs and other children, irrespective of whether that child is in an ordinary or a special school.

LEAs display a wide variety of approaches to integration. Some see practical limits to full integration and are committed to a continuing role for special schools. The important thing, though, is for LEAs to have a clear statement on intergation, developed in consultation with parents and professionals, as part of their overall policy on special education. And while parental choice is a key ingredient of sensible, strategic planning by an LEA, it should not be the over-riding factor.

There is little central guidance on what constitutes integrated provision or on the direction in which special education should develop. The uncertainty has led some parents and voluntary organisations to fear that many special schools will be closed as LEAs transfer children into ordinary schools. Teachers' morale in special schools has also been badly affected. But special schools continue to have an important place in LEA provision for special educational needs. Support for integration does not necessarily mean insisting all children are educated in ordinary schools rather than special schools.

Recommendation 3

LEAs would be helped if the integrated forms of provision being developed were evaluated for their educational quality and wider application.

Recommendation 4

Resources

The most consistent issue raised by those submitting evidence was lack of resources — both the general shortage of resources in schools and the lack of specific resources for the 1981 Act. Schools and LEAs have found it difficult to make proper general provision for children in a way that would reduce the numbers needing special educational provision.

Administering assessment and statementing procedures, arranging placements in ordinary schools with more teaching and ancillary staff, equipment and physical adaptation of premises, plus duplicating provision for special needs in ordinary and special schools have meant additional costs for LEAs. The Government considers full implementation of the Act will take many years and expects LEAs to find the money required from existing resources and the closure of special schools. However, it is impossible to assess how far such resources have been channelled into funding the developments required by the Act.

The lack of specific resources has severely hampered the Act working successfully, and further progress can only be made if extra resources are provided.

Recommendation 5

Definitions

The ways in which special educational needs and provision are defined under the Act are causing uncertainty and confusion. This is due to problems of interpretation and of relativity, and there is no need for any fundamental change in those basic definitions.

A major difficulty is that needs and provision are related to an individual child's relationship to the educational situations in which s/he is expected to function. This has several consequences. The better a school meets children's individual differences, the smaller the number of special educational needs which arise; the better it meets the special needs that do arise, the fewer the children who will be the subject of statements. The extent of and provision for special educational needs by LEAs will also vary.

Defining special educational needs in terms of significant learning difficulties causes problems:

1 Some interpret a learning difficulty as poor achievement in academic subjects and is not seen as an appropriate description of emotional or behaviour difficulties.
2 The Act's concentration on statementing has led to suggestions that its definitions do not include the wider range of special educational needs set out in the 1978 Warnock Report. Some combined health and educational needs, such as delayed speech, are not adequately covered by the definition.
3 There is confusion over special educational needs and the apparent wider spectrum of special needs, some of which are felt not to fall within the terms of the Act. LEAs therefore need more guidance on identifying the wider range of special educational needs. So national guidance on what they should provide is required.

Recommendation 6

Provision for children who have statements is more clearly defined. But the percentage of children who are given statements and of those whose needs are being met in ordinary schools vary widely between LEAs. The DES should investigate why this is so.

Recommendation 7

Meeting the wider range of special educational needs

Teachers in primary and secondary schools are now more aware of the nature and extent of special educational needs. School-wide policies are being adopted to meet the variety of special needs. However, such developments are hampered by some LEAs only allocating extra resources on an ad hoc basis for individual pupils or devoting available resources to increase administrative and psychological staff concerned with assessment and statementing.

Such pre-occupation with the Act's more formal procedures means little attention is being given to the wider forms of special educational provision. The DES does not know with any accuracy the nature or extent of such wider provision and should take steps to find out.

Recommendation 8

One proposal is for LEAs to allocate extra teaching hours to schools as a whole, rather than for individual pupils. This can help them in their duty to provide for the wider range of special needs, and ease the pressure of carrying out full assessments and making statements. A DES circular on staffing should be issued to encourage good practice in such matters.

Recommendation 9

Statutory procedures for assessment and making statements

The present system of assessment and statementing is not working properly. Procedures are too long and needlessly complicated. Statements of needs and provision are vague, with statements often tailored to fit existing provision. Some of the provision required, such as therapies, is often outside the LEA's control. Professionals from health and social services are too slow in contributing to assessment procedures. Schools and LEAs are weighed down by the administrative burden.

Time taken to complete an assessment and make a statement of needs varies widely between LEAs, as does the number of children provided with statements (between 4.2% and 0.04% of the school population). The percentage of those children actually having their needs met in ordinary schools also varies, ranging between 57.4% and 1.7% of all children with statements. (*Sic.* See DES Statistics on page 20).

Suggested changes include:

- streamlining procedures and having set time limits for submitting professional reports and for completing the assessment process;
- giving parents more information and help, including access to a named person, or befriender, who is not an employee of the LEA;
- ensuring health authorities give greater priority to providing the therapies LEAs recommend in statements.

The DES should look at how the procedures can be improved and provide LEAs with examples of what works best.

Recommendation 10

Provision for children under the age of five

The assessment procedures for children under five are not working well. They are often too lengthy — since needs change quickly at this age — and delay a child's entry into primary school. Although there are indications of some progress in providing for young children, such as a growth in home teaching programmes, the DES has little information on how the Act is working here, how many under fives are statemented or receiving special education.

Many health authorities have no proper system for telling LEAs about young children who may have special educational needs because of disabilities or delayed development. Nor are they good at telling parents about voluntary organisations which can help them. Both are duties under section 10 of the 1981 Act. Since early identification and intervention are so crucial, the DES, along with LEAs and the DHSS, should look in detail at the way the Act is working at the pre-school stage.

Recommendation 11

Young people over the age of sixteen

The Committee emphasises the importance of proper provision for young people with special educational needs beyond the age of 16, but had no time to consider this phase of education in any detail. However, a major anomaly has arisen because the Act does not cover further education. Once a young person with a statement reaches the age of 16, that statement remains in force only if s/he continues in school.

It ceases to apply if s/he moves to a further education college. This should be put right, with equal conditions applying across all educational provision.

Recommendation 12

Teacher training

There is serious concern at the inadequate resources for initial and in-service training of teachers for special education. At risk are courses to prepare teachers to be special educational needs co-ordinators in schools, and long courses of specialist training to teach children with specific and severe disabilities and difficulties. New arrangements for grant related in-service training (GRIST) are unlikely to maintain current levels of training for special needs, with LEAs giving it a low priority.

Health and social services

Complex disabilities and special educational needs require a multi-professional approach. The Act's assessment procedures and subsequent provision following a statement of needs often call for the skills of professionals working for social services departments and district health authorities. But problems arising through a lack of co-ordination between these bodies and the LEAs are a cause for major concern. An LEA cannot guarantee to deliver all the services to meet a child's needs. Problems include:

1 health and social service staff take too long to respond during formal assessment procedures;
2 the health service gives relatively low priority to services for children and schools;
3 there is a shortage of speech and other therapists and too little therapeutic time allocated to the education service;
4 social services departments are ineffective in carrying out their responsibilities as 'parents' under the Act for children in their care.

Education, health and social services authorities should get together to work out how best to deliver a multi-professional service.

National arrangements for promoting good practice

The DES has funded several research programmes on how the 1981 Act is working. But the Department itself has done very little to collect information, monitor progress, disseminate good practice, and issue guidance on how to put the Act into effect. The DES should improve its performance in this area — by monitoring the Act and by issuing guidance.

Recommendation 13

A multi-disciplinary national development group is needed to encourage good professional practice in meeting special educational needs of children and young people from 0 to 19. Such a group should not duplicate work being done by other bodies, but concentrate on specific aspects of professional practice which are agreed by Government and other interested parties to be priorities.

Recommendation 14

Conclusion

Two issues must be stressed. First, extra resources are needed to enable LEAs and schools to operate the Act properly. Second, LEAs have a very important role to play in developing policy on special education. The difficulties involved are too wide-ranging for schools to cope with alone, and too localised to be closely directed by central government. Success in implementing the Act depends on an LEA having a clear and coherent policy, arrived at in a way that enables those most affected by it — parents, teachers and voluntary organisations — to support it.

Recommendation 15

RICK ROGERS is an education and arts journalist and editor. In 1986, he produced the two CSIE surveys on how LEAs are operating the 1981 Education Act *Caught in the Act: what LEAs tell parents* and *Guiding the professionals.*

Appendix two

DES statistics on statemented children in ordinary and special schools

Number and proportion of children with statements of special educational needs in maintained primary, middle and secondary schools and in maintained and non-maintained special schools in each LEA in January 1986.

English LEAs*	Number of pupils with statements in special schools	Number of pupils with statements in primary, middle & secondary schools	All pupils with statements	Percentage of pupils with statements in special schools	Percentage of pupils with statements in primary, middle and secondary schools
Barking	243	43	286	85.0	15.0
Barnet	437	102	539	81.1	18.9
Bexley	370	152	522	70.9	29.1
Brent	492	50	542	90.8	9.2
Bromley	478	296	774	61.8	38.2
Croydon	573	157	730	78.5	21.5
Ealing	580	59	639	90.8	9.2
Enfield	473	48	521	90.8	9.2
Haringey	381	101	482	79.0	21.0
Harrow	264	99	363	72.7	27.3
Havering	428	65	493	86.8	13.2
Hillingdon	498	58	556	89.6	10.4
Hounslow	577	84	661	87.3	12.7
Kingston Upon Thames	267	52	319	83.7	16.3
Merton	310	26	336	92.3	7.7
Newham	605	81	686	88.2	11.8
Redbridge	455	52	507	89.7	10.3
Richmond Upon Thames	172	50	222	77.5	22.5
Sutton	294	64	358	82.1	17.9
Waltham Forest	896	129	1025	87.4	12.6
Birmingham	2983	482	3465	86.1	13.9
Coventry	921	101	1022	90.1	9.9
Dudley	642	128	770	83.4	16.6
Sandwell	876	139	1015	86.3	13.7
Solihull	386	59	445	86.7	13.3
Walsall	675	103	778	86.8	13.2
Wolverhampton	574	237	811	70.8	29.2
Knowsley	566	65	631	89.7	10.3
Liverpool	1797	90	1887	95.2	4.8
St Helens	499	74	573	87.1	12.9
Sefton	667	82	749	89.1	10.9
Wirral	886	237	1123	78.9	21.1
Bolton	584	41	625	93.4	6.6
Bury	274	114	388	70.6	29.4
Manchester	1824	38	1862	98.0	2.0
Oldham	680	107	787	86.4	13.6
Rochdale	590	123	713	82.7	17.3
Salford	844	34	878	96.1	3.9
Stockport	783	239	1022	76.6	23.4

English LEAs* continued	Number of pupils with statements in special schools	Number of pupils with statements in primary, middle & secondary schools	All pupils with statements	Percentage of pupils with statements in special schools	Percentage of pupils with statements in primary, middle and secondary schools
Tameside	356	137	493	72.2	27.8
Trafford	417	226	643	64.9	35.1
Wigan	780	82	862	90.5	9.5
Barnsley	331	94	425	77.9	22.1
Doncaster	994	25	1019	97.5	2.5
Rotherham	629	191	820	76.7	23.3
Sheffield	1096	368	1464	74.9	25.1
Bradford	1214	143	1357	89.5	10.5
Calderdale	356	38	394	90.4	9.6
Kirkless	678	246	924	73.4	26.6
Leeds	2016	630	2646	76.2	23.8
Wakefield	771	20	791	97.5	2.5
Gateshead	541	125	666	81.2	18.8
Newcastle Upon Tyne	944	111	1055	89.5	10.5
North Tyneside	557	75	632	88.1	11.9
South Tyneside	321	84	405	79.3	20.7
Sunderland	759	188	947	80.1	19.9
Inner London	7082	1309	8391	84.4	15.6
Avon	2282	3071	5353	42.6	57.4
Bedfordshire	1171	188	1359	86.2	13.8
Berkshire	1864	572	2436	76.5	23.5
Buckinghamshire	1757	740	2497	70.4	29.6
Cambridgeshire	1370	484	1854	73.9	26.1
Cheshire	1794	1599	3393	52.9	47.1
Cleveland	1787	565	2352	76.0	24.0
Cornwall	313	696	1009	31.0	69.0
Cumbria	585	619	1204	48.6	51.4
Derbyshire	1832	992	2824	64.9	35.1
Devon	2194	673	2867	76.5	23.5
Dorset	1283	331	1614	79.5	20.5
Durham	1119	287	1406	79.6	20.4
East Sussex	1813	92	1905	95.2	4.8
Essex	3335	827	4162	80.1	19.9
Gloucestershire	1389	185	1574	88.2	11.8
Hampshire	4227	373	4600	91.9	8.1
Hereford and Worcester	1506	292	1798	83.8	16.2
Hertfordshire	2406	872	3278	73.4	26.6
Humberside	1580	677	2257	70.0	30.0
Isle of Wight	301	45	346	87.0	13.0
Kent	3841	816	4657	82.5	17.5
Lancashire	3819	369	4188	91.2	8.8
Leicestershire	1327	450	1777	74.7	25.3
Lincolnshire	1206	502	1708	70.6	29.4
Norfolk	990	491	1481	66.8	33.2
North Yorkshire	1357	289	1646	82.4	17.6
Northamptonshire	1486	452	1938	76.7	23.3
Northumberland	617	143	760	81.2	18.8
Nottinghamshire	2357	116	2473	95.3	4.7
Oxfordshire	1088	19	1107	98.3	1.7
Salop	811	534	1345	60.3	39.7
Somerset	851	447	1298	65.6	34.4
Staffordshire	2197	487	2684	81.9	18.1
Suffolk	821	770	1591	51.6	48.4
Surrey	2903	414	3317	87.5	12.5
Warwickshire	1528	114	1642	93.1	6.9
West Sussex	1266	194	1460	86.7	13.3
Wiltshire	856	907	1763	48.6	51.4
England	110915	30047	140962	78.7	21.3

Department of Education and Science, January 1986

** Statistics published by the Welsh office are not comparable with this table of English LEAs.*

Appendix three

Further reading

Government

Education Act 1980 HMSO, £2.50.

Education Act 1981 HMSO, £2.30.

Education (No 2) Act 1986, HMSO, £6.50.

The Education (School Information) Regulations 1981 no 630, HMSO, £1.40.

The Education (Special Educational Needs) Regulations 1983 no 29, HMSO, £1.65.

The Education (Approval of Special Schools) Regulations 1983 HMSO, £1.75.

Education (No 2) Act 1986 (Commencement No. 1) Order 1986, SI 2203, 1986, HMSO, £1.40.

DES Circular 8/81 **Education Act 1981** HMSO.

DES Circular 1/83 **Assessment and Statements of Special Educational Needs** HMSO. (Circulars available free from DES, Honeypot Lane, Canons Park, Stanmore, Middlesex.)

Circular 8/86 Education (No 2) Act 1986. Guidance on sections of the Act which came into force in January 1987 and approximate dates for commencement of other sections, Department of Education and Science, free.

Special educational needs: the Warnock report, HMSO, 1978, £5.65.

Designing for children with special educational needs: ordinary schools DES Building Bulletin 61, HMSO, £3.95.

Access for disabled people to educational buildings DES Design Note 18, HMSO, free.

Guides and books

Children with special needs: sources of help ACE Information Sheet, 18 Victoria Park Square, London E2 9PB, 50p.

Special education handbook ACE, 2nd edition 1985, £3.25.

Under fives with special needs ACE, 1984, £2.75.

Education Act 1981: summary ACE, £1.50.

Warnock report summary ACE Information Sheet, 50p.

The 1981 Act: safeguarding your rights ACE Information Sheet, 50p.

Education Act 1981 — the role of the named person by Philippa Russell, Voluntary Council for Handicapped Children, 8 Wakley Street, London EC1V 7QE.

CSIE publications and reports on integration and the 1981 Act publications list available from CSIE, The Spastics Society, 840 Brighton Road, Purley, Surrey CR2 2BH (01-660 8552).

A guide to the Education Act 1981: assessment and placement of physically disabled children in ordinary and special schools notes for voluntary organisations and parents, Royal Association for Disability and Rehabilitation (RADAR), 25 Mortimer Street, London W1N 8AB.

Help starts here: for parents of children with special needs Voluntary Council for Handicapped Children, 2nd edition 1985, 50p.

Highlights from National Children's Bureau:

34 Summary of the Warnock report on special educational needs 1978;
42 The family with a handicapped child 1981;
51 Summary of 1981 Education Act 1982;
54 Home based services for the under fives a review of research, 1982;
58 Services for the pre-school child with special needs a review of research, 1984;
67 Children with special educational needs in ordinary schools 1985;
available from the NCB, 8 Wakley Street, London EC1V 7QE, 20p each.

You can help: PPA groups and 1981 Education Act by Pat Cullis, Pre-school Playgroups Association, 61/63 King's Cross Road, London WC1X 9LL.

A series of guidelines about parents' rights and responsibilities 12 factsheets from the Rathbone Society, 1st Floor, Princess House, 105/107 Princess Street, Manchester M1 6DD (061 236 5358).

Changing Special Education Now by Wilfred K. Brennan, new edition 1987, Open University Press, ISBN 0-335-10277-8 (pbk).

Integrating Special Education edited by Tony Booth and Patricia Potts, 1983, Blackwell.

The 1981 Education Act-Policy and Provision for Special Educational Needs. A report to the DES, October 1986 by a Research Team at the University of London Institute of Education. Cassells will, publish in January 1988.

Children with special needs: a guide for parents by Christine Orton, Home & School Council, 81 Rustlings Road, Sheffield S11 7AB, 1985, 80p.

The educational implications of disability guide for teachers by Judith Male and Claudia Thompson, RADAR, 1985.

Reports

Educational opportunities for all? report of committee chaired by John Fish reviewing special educational needs in the Inner London Education Authority (ILEA), Order Processing Department, ILEA Centre for Learning Resources, 275 Kennington Lane, London SE11 5QZ, 1985, £8 plus 80p p&p.

The 1981 Education Act in Derbyshire includes comments from parents, ***British Journal of Special Education,*** vol 12 no 3, September 1985.

Parental perceptions and the 1981 Education Act by S A Sandow and P Stafford, Research Supplement of the *British Journal of Special Education,* vol 13 no 1, March 1986.

Caught in the Act: survey of what LEAs tell parents about the 1981 Act, CSIE, 1986, £3.50.

Guiding the Professionals: a survey of LEA guidelines for professionals on the 1981 Education Act, CSIE, 1986, £2.50.

Mainstreaming in Massachusetts by Mark Vaughan and Ann Shearer, CSIE and CMH, 1986, £2.

Integration: a framework of support. A policy for reducing learning difficulties in ordinary schools by Tony Booth. CSIE Factsheet, 20p.

Appendix four

Useful addresses

The **Centre for Studies on Integration in Education (CSIE)** was set up at The Spastics Society in 1982 as a semi-autonomous body. It aims to ensure that authorities, individual schools, parents and others establish effective and appropriate integration schemes for children with special needs.

The Centre's work covers the whole range of special educational needs. It helps to link those who are running appropriate schemes with those who wish to do the same. The Centre arranges conferences on different aspects of promoting integration, produces factsheets, leaflets and case studies and runs a free advice service.

For further information about the Centre, its work and publications write to: **CSIE,** The Spastics Society, 840 Brighton Road, Purley, Surrey CR2 2BH (01-660 8552). (Write for list of publications.)

The **Children's Legal Centre** is an independent national body set up following International Year of the Child. Its work is concerned with laws and policies which affect children and young people in England and Wales. It provides a free advice and information service by telephone (2pm to 5pm, Mondays to Fridays) and letter. Children's Legal Centre, 20 Compton Terrace, London N1 2UN (01-359 6251).

The **Advisory Centre for Education (ACE),** 18 Victoria Park Square, London E2 9PB (01-980 4596 between 2pm and 5.30pm), offers information and advice on all aspects of the maintained education service. Write for list of ACE publications.

Campaign for the Advancement of State Education (CASE) Information from: Sue Hodgson, The Grove, High Street, Sawston, Cambridge CB2 4HJ (0483 235535).

The **Voluntary Council for Handicapped Children** has a free information service, and a range of free publications, including a list of organisations concerned with specific disabilities, a reading list on special educational needs, a booklet *Help Starts Here* (which gives a brief outline of health, social services and education provision for families with children with disabilities) and other leaflets.

For a full list, send a large stamped addressed envelope to: Voluntary Council for Handicapped Children, 8 Wakley Street, London EC1V 7QE (01-278 9441).

Pre-school Playgroups Association, 61/63 King's Cross Road, London WC1X 9LL (01-833 0991).

Royal Association for Disability and Rehabilitation (RADAR), 25 Mortimer Street, London W1N 8AB (01-637 5400).

81 Action is a growing national network of support groups run by and on behalf of parents whose children have special educational needs. Joint membership secretaries: David and Elizabeth Arrondelle, 52 Magnaville Road, Bishops Stortford, Herts CM23 4DW (0279 503244).

Law Centres Federation, 18-19 Warren Street, London NW1 (01-387 8570).

The **Law Society,** 113 Chancery Lane, London WC2, publishes a series of 28 booklets covering England and Wales, listing solicitors who do legal aid work and other sources of legal advice — citizens' advice bureaux, legal advice and law centres — and giving basic details about legal aid. These booklets, which are updated annually *(Legal Aid Solicitors' List)* should be available in advice agencies and libraries.

Government departments

Department of Education and Science (DES), Elizabeth House, York Road, London SE1 7PH (01-934 9000).
Welsh Office, Education Department, Crown Buildings, Cathays Park, Cardiff CF1 3NQ (0222-825111).
Department of Health and Social Security (DHSS), Alexander Fleming House, Elephant & Castle, London SE1 6BY (01-407 5522).

Other bodies

Council on Tribunals, 22 Kingsway, London WC2B 6LE (01-936 7044).
Commissioner for Local Administration (Ombudsman): England: 21 Queen Anne's Gate, London SW1 (01-222 5622); Wales: Derwen House, Court Road, Bridgend (0656-61325).
Parliamentary Commissioner for Administration and Health Service, Church House, Great Smith Street, London SW1P 3BW (01-212 6271).
Equal Opportunities Commission (EOC), Overseas House, Quay Street, Manchester M3 3HN (061-833 9244).
Commission for Racial Equality (CRE), Elliot House, 10/12 Allington Street, London SW1E 5EH (01-828 7022).

Addresses of Local Education Authorities

COUNTY COUNCILS — ENGLAND

AVON
P Coleman, BA
Director of Education
County of Avon
PO Box 57
Avon House North
St James Barton
BRISTOL BS99 7EB
Tel. 0272 290777

BEDFORDSHIRE
D P J Browning, CBE, MA
Chief Education Officer
Education Department
County Hall
BEDFORD MK42 9AP
Tel. 0234 63222

BERKSHIRE
P E Edwards, MA, MEd
Director of Education
Education Department
Shire Hall
Shinfield Park
READING RG2 9XE
Tel. 0734 875444

BUCKINGHAMSHIRE
C M Garrett, BA
Chief Education Officer
County Hall
AYLESBURY
Bucks HP20 1UZ
Tel. 0296 5000

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G H Morris, BA, FCP
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CLEVELAND
A H R Calderwood, MA, MEd, FRSA, FBIM
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Cleveland TS1 3BN
Tel. 0642 248155

CORNWALL
N W Barr, MA
Secretary for Education
Education Offices
County Hall
TRURO
Cornwall TR1 3BA
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See CSIE's two earlier LEA surveys

★ **Caught in the Act** — what LEAs tell parents under the 1981 Education Act. Price £3.50

★ **Guiding the Professionals** — A survey of LEA guidelines for professionals on the 1981 Education Act. Price £2.50

Caught in the Act *features the results of a national survey of material published by local education authorities in England and Wales to help parents through the assessment and statementing procedures of the 1981 Education Act.*

In part two of this booklet the advantages of parental involvement are highlighted, and practical advice and information provided to encourage an effective and appropriate partnership between parents and professionals. Summaries of the 1981 Education Act and Regulations, and of DES Circular 1/83 are included.

Guiding the Professionals *features the results of a national survey of the guidelines that local education authorities in England and Wales give professionals — psychologists, education welfare officers and so on — on how to operate the assessment and statementing procedures of the 1981 Education Act.*

This booklet documents how those procedures should work, and the advice and instructions LEAs give their staff on what they should and should not do.

Write to CSIE for these and other publications.
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House of Commons Select Committee Report on the 1981 Education Act

CSIE SUMMARY

Written by Rick Rogers

SPECIAL EDUCATIONAL NEEDS: IMPLEMENTATION OF THE EDUCATION ACT 1981

Third report from the Commons Education, Science and Arts Committee; session 1986-87; volume 1; HMSO, £10.80; published on 14 June 1987.

Introduction

The Commons Select Committee on Education, Science and Arts decided to look at how well the 1981 Education Act was working for two main reasons. First, the Committee's earlier enquiry into primary education had raised issues about special education which needed to be looked at in more detail. Second, as the Act had come into force in 1983, the time seemed right for an assessment.

The calling of the June 1987 general election meant the Committee had to complete its report sooner than intended. Nevertheless, says the Committee, it is a final report, drawing attention to the main issues and discussing the problems found. However, in many areas, such as teacher training, provision by health and social services departments, and how the Act affects young people over 16, it has only been able to highlight matters of concern rather than point to solutions. It hopes a future Committee will look more closely at these issues.

The Committee considered written and oral evidence from government departments, local education authorities, professional organisations, voluntary bodies, and individuals. It also visited three LEAs — Derbyshire, Hertfordshire and Sheffield — to see how each was operating the 1981 Act; and Denmark and Sweden to see how they provided for children with special educational needs.

What follows is a list of the Committee's recommendations and conclusions, and a CSIE summary of its report.

The Recommendations and Conclusions

1 National curriculum The Department of Education and Science (DES) should look closely at the implications for children with special educational needs of the Government's proposals for a national curriculum and for monitoring individual progress at seven, 11 and 14.

2 Befriender initiatives Local education authorities (LEAs) should encourage and fund 'befriender' initiatives by voluntary organisations to support and advise parents in their dealings with schools and LEAs.

3 A definition of integration Supporting the principle of integration does not necessarily mean insisting all children with special educational needs be educated in primary and secondary schools rather than special schools.

4 Evaluating integrated provision Progress towards integrated forms of provision should be evaluated in terms of their educational quality and their wider appropriateness so LEAs can be given greater guidance.

5 Resources The lack of specific resources has restricted implementation of the 1981 Act,

and further progress depends on a commitment to extra resources.

6 Guidance on needs and provision More guidance is needed on identifying the wider range of special educational needs and on when a statement of such needs might be required. National guidance should be given on what constitutes special educational provision in order to clear up current uncertainties.

7 Variations in provision The DES should examine why there is a wide variety in the extent and type of provision for children who have statements.

8 Information on provision More information should be given on the wider forms of special educational provision.

9 Guidance on staffing There should be a specific allocation of teaching time, within primary and secondary school staffing ratios, to meet the wider range of special educational needs. A DES circular on staffing should be issued, highlighting best practice.

10 Assessment and statementing procedures Some aspects of the current procedures for assessing children and making statements are not working properly. The DES should investigate how to improve these procedures and provide LEAs with examples of best administrative practice.

11 Pre-school children The DES, along with LEAs and the Department of Health and Social Security (DHSS), should carry out a study into how well the 1981 Act is working for pre-school children.

12 Post-16 provision The Act's provisions should apply equally to young people with special educational needs between 16 and 19 whether they are in secondary school or further education college.

13 Monitoring the 1981 Act The DES, or some other body appointed by it, should more effectively monitor how the Act is working and provide guidance based on such monitoring.

14 A national body A multi-disciplinary national development group should be set up to contribute to stimulating good professional practice in meeting the special educational needs of children and young people from 0 to 19 in those aspects that Government and other interested parties agree are priorities.

15 LEA policy The successful implementation of the 1981 Act depends on a local education authority developing a clear and coherent policy which has the support of those most affected by it — parents, teachers and voluntary organisations.

The Report

The changing educational context

The 1981 Act came into force at a time of falling pupil numbers and restrictions on resources for education. At the same time, schools have had to take on board major recommendations in the Swann Report on the education of children from ethnic minorities, the new GCSE exam system, and developments in technical and pre-vocational education, such as TVEI. The education sector has also been pre-occupied with concerns about standards, and the long-running dispute over teachers' pay and conditions.

All this has made it difficult for schools and LEAs to respond as they might wish to the Act's requirements to identify and meet children's special educational needs.

Proposals for a national curriculum, monitoring how children perform at certain ages, and defining levels of achievement by tests have particular implications for children with special needs. How are individual results to be interpreted? What is the relationship between an inability to reach the standards set and identifying special educational needs under the Act? The Department of Education and Science (DES) must pay close attention to these implications.

Recommendation 1

Much, though, has been accomplished since 1983. The general thrust of the Act has been accepted. Local education authorities (LEAs) and schools now pay greater attention to provision for special educational needs. It is becoming an integral part of school work, more widely recognised and planned for.

The role of parents

The Act gives parents a greater say in the assessment of and educational decisions about their children. But while it has enhanced their position, parents often feel their contribution remains insufficient or ineffective. Common problems are:

- inadequate or unclear information about an LEA's assessment procedures and the provision available;
- not enough help to take part in assessment;
- too little weight given to their views during assessment;
- lack of choice about provision.

Parents from ethnic minority groups, in particular, receive too little help to play their rightful part in assessment procedures. Many parents would welcome help from someone not closely linked with the LEA. One effective and inexpensive way is for members of voluntary organisations to act as 'befrienders', helping parents in their dealings with LEAs and schools. LEAs should encourage and fund groups to provide such a service.

Recommendation 2

The principle of integration

There are different views on the complex issue of what is meant by integration. Some define integration as placing a child with special needs in an ordinary class in primary or secondary school, whereas placement in a special school is not. Others put the emphasis on the opportunities created for interaction between a child with special needs and other children, irrespective of whether that child is in an ordinary or a special school.

LEAs display a wide variety of approaches to integration. Some see practical limits to full integration and are committed to a continuing role for special schools. The important thing, though, is for LEAs to have a clear statement on intergation, developed in consultation with parents and professionals, as part of their overall policy on special education. And while

parental choice is a key ingredient of sensible, strategic planning by an LEA, it should not be the over-riding factor.

There is little central guidance on what constitutes integrated provision or on the direction in which special education should develop. The uncertainty has led some parents and voluntary organisations to fear that many special schools will be closed as LEAs transfer children into ordinary schools. Teachers' morale in special schools has also been badly affected. But special schools continue to have an important place in LEA provision for special educational needs. Support for integration does not necessarily mean insisting all children are educated in ordinary schools rather than special schools.

Recommendation 3

LEAs would be helped if the integrated forms of provision being developed were evaluated for their educational quality and wider application.

Recommendation 4

Resources

The most consistent issue raised by those submitting evidence was lack of resources — both the general shortage of resources in schools and the lack of specific resources for the 1981 Act. Schools and LEAs have found it difficult to make proper general provision for children in a way that would reduce the numbers needing special educational provision.

Administering assessment and statementing procedures, arranging placements in ordinary schools with more teaching and ancillary staff, equipment and physical adaptation of premises, plus duplicating provision for special needs in ordinary and special schools have meant additional costs for LEAs. The Government considers full implementation of the Act will take many years and expects LEAs to find the money required from existing resources and the closure of special schools. However, it is impossible to assess how far such resources have been channelled into funding the developments required by the Act.

The lack of specific resources has severely hampered the Act working successfully, and further progress can only be made if extra resources are provided.

Recommendation 5

Definitions

The ways in which special educational needs and provision are defined under the Act are causing uncertainty and confusion. This is due to problems of interpretation and of relativity, and there is no need for any fundamental change in those basic definitions.

A major difficulty is that needs and provision are related to an individual child's relationship to the educational situations in which s/he is expected to function. This has several consequences. The better a school meets children's individual differences, the smaller the number of special educational needs which arise; the better it meets the special needs that do arise, the fewer the children who will be the subject of statements. The extent of and provision for special educational needs by LEAs will also vary.

Defining special educational needs in terms of significant learning difficulties causes problems:

1 Some interpret a learning difficulty as poor achievement in academic subjects and is not seen as an appropriate description of emotional or behaviour difficulties.

2 The Act's concentration on statementing has led to suggestions that its definitions do not include the wider range of special educational needs set out in the 1978 Warnock Report. Some combined health and educational needs, such as delayed speech, are not adequately covered by the definition.

3 There is confusion over special educational needs and the apparent wider spectrum of special needs, some of which are felt not to fall within the terms of the Act. LEAs therefore need more guidance on identifying the wider range of special educational needs. So national guidance on what they should provide is required.

Recommendation 6

Provision for children who have statements is more clearly defined. But the percentage of children who are given statements and of those whose needs are being met in ordinary schools vary widely between LEAs. The DES should investigate why this is so.

Recommendation 7

Meeting the wider range of special educational needs

Teachers in primary and secondary schools are now more aware of the nature and extent of special educational needs. School-wide policies are being adopted to meet the variety of special needs. However, such developments are hampered by some LEAs only allocating extra resources on an ad hoc basis for individual pupils or devoting available resources to increase administrative and psychological staff concerned with assessment and statementing.

Such pre-occupation with the Act's more formal procedures means little attention is being given to the wider forms of special educational provision. The DES does not know with any accuracy the nature or extent of such wider provision and should take steps to find out.

Recommendation 8

One proposal is for LEAs to allocate extra teaching hours to schools as a whole, rather than for individual pupils. This can help them in their duty to provide for the wider range of special needs, and ease the pressure of carrying out full assessments and making statements. A DES circular on staffing should be issued to encourage good practice in such matters.

Recommendation 9

Statutory procedures for assessment and making statements

The present system of assessment and statementing is not working properly. Procedures are too long and needlessly complicated. Statements of needs and provision are vague, with statements often tailored to fit existing provision. Some of the provision required, such as therapies, is often outside the LEA's control. Professionals from health and social services are too slow in contributing to assessment procedures. Schools and LEAs are weighed down by the administrative burden.

Time taken to complete an assessment and make a statement of needs varies widely between LEAs, as does the number of children provided with statements (between 4.2% and

0.04% of the school population). The percentage of those children actually having their needs met in ordinary schools also varies, ranging between 57.4% and 1.7% of all children with statements.

Suggested changes include:

- streamlining procedures and having set time limits for submitting professional reports and for completing the assessment process;
- giving parents more information and help, including access to a named person, or befriender, who is not an employee of the LEA;
- ensuring health authorities give greater priority to providing the therapies LEAs recommend in statements.

The DES should look at how the procedures can be improved and provide LEAs with examples of what works best.

Recommendation 10

Provision for children under the age of five

The assessment procedures for children under five are not working well. They are often too lengthy — since needs change quickly at this age — and delay a child's entry into primary school. Although there are indications of some progress in providing for young children, such as a growth in home teaching programmes, the DES has little information on how the Act is working here, how many under fives are statemented or receiving special education.

Many health authorities have no proper system for telling LEAs about young children who may have special educational needs because of disabilities or delayed development. Nor are they good at telling parents about voluntary organisations which can help them. Both are duties under section 10 of the 1981 Act. Since early identification and intervention are so crucial, the DES, along with LEAs and the DHSS, should look in detail at the way the Act is working at the pre-school stage.

Recommendation 11

Young people over the age of sixteen

The Committee emphasises the importance of proper provision for young people with special educational needs beyond the age of 16, but had no time to consider this phase of education in any detail. However, a major anomaly has arisen because the Act does not cover further education. Once a young person with a statement reaches the age of 16, that statement remains in force only if s/he continues in school. It ceases to apply if s/he moves to a further education college. This should be put right, with equal conditions applying across all educational provision.

Recommendation 12

Teacher training

There is serious concern at the inadequate resources for initial and in-service training of teachers for special education. At risk are courses to prepare teachers to be special educational needs co-ordinators in schools, and long courses of specialist training to teach children with specific and severe disabilities and difficulties. New arrangements for grant related in-service training (GRIST) are unlikely to maintain current levels of training for special needs, with LEAs giving it a low priority.

Health and social services

Complex disabilities and special educational needs require a multi-professional approach. The Act's assessment procedures and subsequent provision following a statement of needs often call for the skills of professionals working for social services departments and district health authorities. But problems arising through a lack of co-ordination between these bodies and the LEAs are a cause for major concern. An LEA cannot guarantee to deliver all the services to meet a child's needs. Problems include:

1. health and social service staff take too long to respond during formal assessment procedures;
2. the health service gives relatively low priority to services for children and schools;
3. there is a shortage of speech and other therapists and too little therapeutic time allocated to the education service;
4. social services departments are ineffective in carrying out their responsibilities as 'parents' under the Act for children in their care.

Education, health and social services authorities should get together to work out how best to deliver a multi-professional service.

National arrangements for promoting good practice

The DES has funded several research programmes on how the 1981 Act is working. But the Department itself has done very little to collect information, monitor progress, disseminate good practice, and issue guidance on how to put the Act into effect. The DES should improve its performance in this area — by monitoring the Act and by issuing guidance.

Recommendation 13

A multi-disciplinary national development group is needed to encourage good professional practice in meeting special educational needs of children and young people from 0 to 19. Such a group should not duplicate work being done by other bodies, but concentrate on specific aspects of professional practice which are agreed by Government and other interested parties to be priorities.

Recommendation 14

Conclusion

Two issues must be stressed. First, extra resources are needed to enable LEAs and schools to operate the Act properly. Second, LEAs have a very important role to play in developing policy on special education. The difficulties involved are too wide-ranging for schools to cope with alone, and too localised to be closely directed by central government. Success in implementing the Act depends on an LEA having a clear and coherent policy, arrived at in a way that enables those most affected by it — parents, teachers and voluntary organisations — to support it.

Recommendation 15

RICK ROGERS is an education and arts journalist and editor. In 1986, he produced the two CSIE surveys on how LEAs are operating the 1981 Education Act *Caught in the Act: what LEAs tell parents* and *Guiding the professionals.*

Duty to Review is a national survey of how LEAs in England and Wales have responded to their duty under Section 2 of the 1981 Education Act to keep their arrangements for special educational provision under review.

It reveals a wide variation across the country and illustrates the different frustrations and tasks facing LEAs. The survey's conclusion is that many LEAs are simply unsure as to what exactly constitutes a 'review'.

Altogether 74 LEAs took part in the survey and fell into five groups: • Not yet started the review (2 LEAs) • Reviewed specific areas, but not yet completed the whole review (7 LEAs) • Special education continuously under review (11 LEAs) • Reviews currently under way (20 LEAs) • Completed definitive reviews (34 LEAs).